

Message Text

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56

ORIGIN OPIC-02

INFO OCT-01 SS-14 ISO-00 ARA-06 L-03 EB-03 SP-02 IGA-01

INR-07 CIAE-00 NSC-05 NSCE-00 /044 R

DRAFTED BY OPIC/P: MMAYS

APPROVED BY EB/IFD/OIA:RJSMITH

EB/IFD/OIA:DSTEBBING

ARA/CAR:TJCHEAVNER

OPIC/GC:C UNT

EB/ORF/ISM:ACHEWITT (INFO)

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R 040220Z MAR 76

FM SECSTATE WASHDC

TO AMEMBASSY KINGSTON

C O N F I D E N T I A L STATE 052213

LIMDIS

E.O. 11652: GDS

TAGS: EFIN

SUBJECT: BAUXITE NEGOTIATIONS

REF: KINGSTON 0835

1. IT IS IMPORTANT TO CLARIFY MAYS' OBSERVATIONS TO CHARGE REGARDING REVERE CLAIM. OPIC HAS NOT PREJUDGED OUTCOME OF A REVERE CLAIM, BUT TAKES PROSPECTIVE CLAIM VERY SERIOUSLY. REVERE WOULD STRESS LEVY AS ABROGATION OF CONCESSION RIGHTS AND INABILITY OF REVERE TO EXPAND AS PLANNED DUE TO CHILLING EFFECT OF GOJ ACTIONS ON INVESTMENT CLIMATE. EVEN IF OPIC WERE TO DECIDE CLAIM NOT SUSTAINED BY EVIDENCE AND STRICT CONTRACT TERMS, REVERE COULD TAKE CLAIM TO ARBITRATION UNDER INSURANCE CONTRACT. MAYS' POINT WAS IT IS WISE FOR THE GOJ AND EMBASSY TO ASSUME FOR THE PURPOSES OF THE NEGOTIATIONS THAT THE ARBITRATION DECISION WOULD GO AGAINST OPIC REQUIR-
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ING OPIC TO PAY REVERE'S CLAIM. OUR BEST CHANCE FOR NEGO-

TIATING SETTLEMENT BETWEEN REVERE AND GOJ WILL BE BEFORE
REVERE FILES ITS CLAIM. OPIC DESIRES NEVERTHELESS TO HAVE
THE ALCOA NEGOTIATION PROCEED PROMPTLY TO CONCLUSION BEFORE
ASKING GOJ TO RETURN TO NEGOTIATIONS WITH REVERE.

2. THE DISCUSSION OF POSSIBLE OUTCOME OF LITIGATION MAKES
IT IMPORTANT THAT COMMUNICATION ON THIS SUBJECT BE LIMITED

DISTRIBUTION.

3. MEMORANDA OF MAYS' CONVERSATION BEING FORWARDED WITH
LETTER TO AMBASSADOR GERARD. KISSINGER

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NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BAUXITE, NEGOTIATIONS
Control Number: n/a
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Draft Date: 04 MAR 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
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Subject: BAUXITE NEGOTIATIONS
TAGS: EFIN, JM, (MAYS, MARSHALL)
To: KINGSTON
Type: TE
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